ANNUAL REPORT

for the fiscal year
ending March 31, 1999

Department of Labour

ISSN 0835-3182

During this reporting period

Minister
The Honourable Russell MacKinnon
The Honourable Gerald O'Malley

Deputy Minister
George Fox
Kevin McNamara

100-05602/

To His Honour

The Honourable J. James Kinley
Lieutenant-Governor
Province of Nova Scotia

Sir:

I have the honour to submit herewith the annual report of the Department of Labour for the fiscal year ending March 31, 1999.

Respectfully submitted,

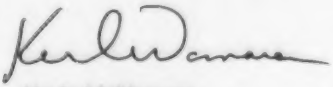
Angus MacIsaac
Minister of Labour

To the Honourable Angus MacIsaac
Minister of Labour

Sir:

I have the honour to submit herewith the report for the Department of Labour for the fiscal year ending March 31, 1999.

Respectfully submitted,



Kevin McNamara
Deputy Minister

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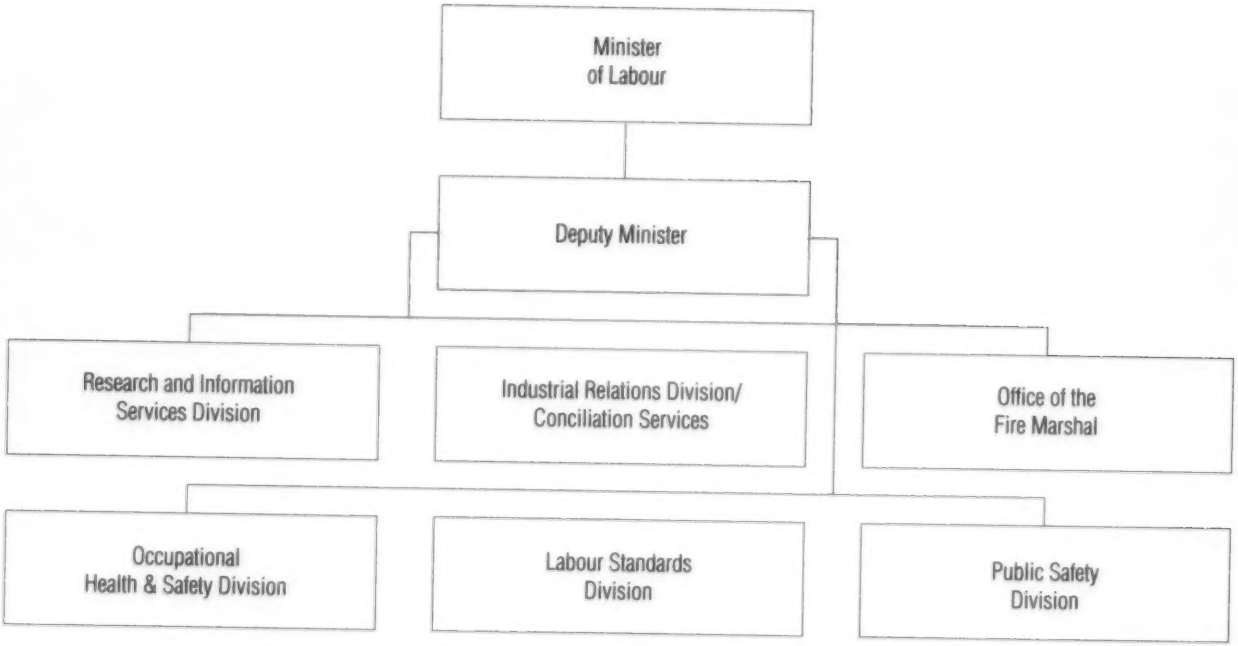
Organization of the Department of Labour, 1998–99



ADMINISTRATIVE PERSONNEL 1998–99

Office of the Minister and Deputy Minister

Minister ..... Russell MacKinnon
Gerald O'Malley
Deputy Minister ..... George Fox
Kevin McNamara

Industrial Relations Division

Director, Conciliation Services ..... L. Rantala

Research Division

Director ..... J. Patterson

Occupational Health and Safety Division

Executive Director ..... J. LeBlanc
Director, Field Services ..... J. Vance
Director, Central Services ..... S. Sampson
Regional Managers
Central ..... R. O'Neil
Cape Breton ..... D. Dearing
Northeast ..... Vacant
Southwest ..... Vacant

Labour Standards Division

Director ..... A.R. Mitchell

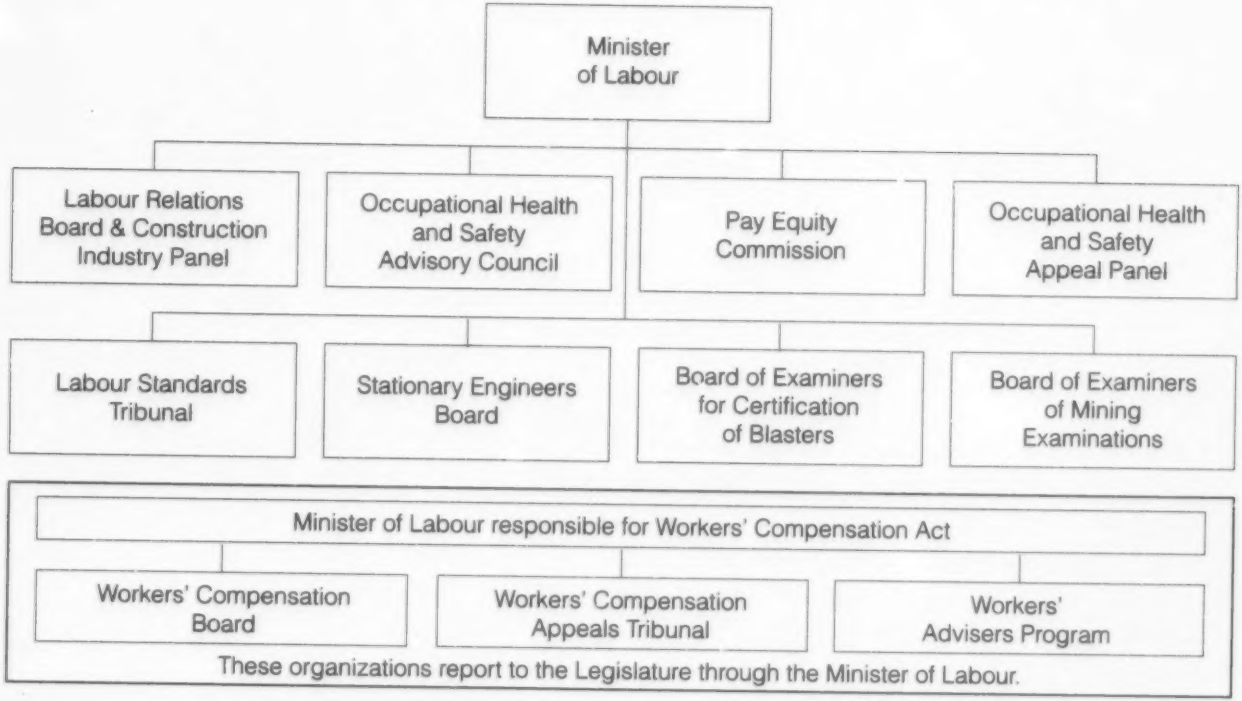
Office of the Fire Marshal

Fire Marshal ..... R. Cormier

Public Safety Divison

Director ..... E. Chown
Chief Inspector, Boilers and Pressure Vessels ..... C. Castle
Acting Chief Inspector, Elevator and Lifts ..... C. Dwyer
Stationary Engineers Section, Acting
Inspector-Examiner ..... E. Mitchell

Boards, Panels, Commissions, and Tribunals of the Department of Labour, 1998–99


Minister of Labour
Labour Relations Board & Construction Industry Panel
Occupational Health and Safety Advisory Council
Pay Equity Commission
Occupational Health and Safety Appeal Panel
Labour Standards Tribunal
Stationary Engineers Board
Board of Examiners for Certification of Blasters
Board of Examiners of Mining Examinations
Minister of Labour responsible for Workers' Compensation Act
Workers' Compensation Board
Workers' Compensation Appeals Tribunal
Workers' Advisers Program
These organizations report to the Legislature through the Minister of Labour.

MEMBERS OF BOARDS AND TRIBUNALS

Stationary Engineers Board

Chair	B. Fralic
Members	J. Rankin
	O. Scott
	W. Fisher

Labour Relations Board

Chair	P.E. Darby
Vice-Chair	B. Archibald
	S. Ashley
Chief Executive Officer	G.D. Ross
Members	L. Wark
	L.F. McKay
	G. Jennegren
	P. Veinotte
Alternate Members	B. Matheson
	S. Atkinson
	D. Van Buskirk
	D. Reid
	L. Singler
	G. Blanchard
	M. Tynes
	S. MacKinnon
	J.G. MacDonald
	E.M. MacNeil

Construction Industry Panel—Labour Relations Board

Chair	P.E. Darby
Vice-Chair	B. Archibald
Chief Executive Officer	G.D. Ross
Members	E.M. MacNeil
Alternate Members	J.G. MacDonald
	D. MacDonald
	L.F. McKay
	G. Dean
	D. T. Richard

Labour Standards Tribunal

Chair	S. Ashley
Vice Chair	T. Mozvik
Executive Officer	M. Stewart
Members	M.H. Martell
	A. Hebb
Alternate Members	D. Cameron
	S. Richard

Board of Examiners for the Certification of Blasters

Chair	W. Reed
Members	L. Urquhart
	J. Kasmets
	K. Beaton
	D. Clark

Board of Examiners for the Certification of Coal Mining Personnel

Chair	S. Schwartz, P. Eng
Members	K. MacLeod, P.Eng.
	H. Slaunwhite, P.Eng.
	J. Reid, P.Eng.
Observer	F. Andrews
Secretary	S. Sampson, P. Eng.

Occupational Health and Safety Advisory Council (April 1996–December 1998)

Co-Chair	C. MacCulloch
Co-Chair	R. Wells
Employer Representatives	J. Amirault
	J. Cruikshank
	S. Lyle
	A. MacKeigan
	S. Travis
Employee Representatives	R. Clarke
	D. Ryan
	D. Serroul
Statutory Appointments	J. Houston
	J. LeBlanc

Occupational Health and Safety Advisory Council (January 1999–March 1999)

Co-Chair	C. MacCulloch
Co-Chair	K. Martin
Employer Representatives	J. Amirault
	J. Cruikshank
	S. Lyle
	A. MacKeigan
	S. Travis
Employee Representatives	S. Andrews
	R. Clarke
	G. Hebb
	J. Kennedy
	D. Ryan
Statutory Appointments	M. Hayward
	J. LeBlanc

Occupational Health and Safety Appeal Panel Office

Executive Officer	P. Sherwood
Chair	M. Hewitt
Chair	P. Voynovich
Members	J. Kennedy
	D. Ryan
	B. Sutherland
	R. Wells
	H. McArthur
	K. Chisholm
	G. Brown
	F. MacKinnon
	I. Andriani
	C. Dahms
	M. Langley
	K. McNamara
	R. Green
	M. Regan-MacNeil
	M. Wheatley
	H. McNamara
	R. Darton

Workers' Advisers Program Members

Chief Worker Adviser	A. Clark
Supervisor, Office Services	W. Buffet

THE DEPARTMENT OF LABOUR

The Department of Labour is responsible for occupational health and safety, industrial relations, labour standards, fire prevention and protection, labour research, and pay equity. Fire prevention and protection are covered in the annual report of the Fire Marshal; the Pay Equity Commission and Workers' Compensation Board produce their own annual reports.

Our Vision

The Department of Labour will provide service to Nova Scotians promoting

- safe and healthy workplaces and work practices
- fair employment standards and effective labour management relations
- safe buildings and equipment for public protection

Our Mission

To fulfill our vision, the Department of Labour will create a supportive and responsive environment, helping staff and clients help themselves by

- continuously reviewing services and legislation
- using current technology
- applying and enforcing laws

Our Values

Our vision and mission are based on

- commitment
- fairness
- responsibility

OCCUPATIONAL HEALTH AND SAFETY DIVISION

The objectives of the Occupational Health and Safety Division are to

- reduce the incidence of accidents and illness of employees
- improve health and safety conditions in the workplace by means of research, education, promotion, and enforcement of legislation

Specifically, the division will

- promote the provision of safe and healthful work environments
- promote the development of occupational health and safety services within the province
- promote the principle that every employee is entitled to a safe and healthy workplace
- promote understanding and acceptance of and compliance with legislative requirements
- conduct and develop education programs designed to promote an awareness of occupational health and safety
- develop revisions to occupational health and safety laws, policies, and practices
- undertake research in matters related to occupational health and safety
- publish reports, studies, and recommendations
- support the tripartite system of employers, employees, and government to share in decision making as it affects occupational health and safety
- administer all acts and regulations consistently with all clients

The Occupational Health and Safety Division has two service branches to meet specific occupational health and safety needs in the province.

The Field Services Branch, under the supervision of the Director of Field Services, is responsible for delivering a series of core services to the clients of the division. These core services include: health and safety inspection, investigation, consultation, mediation, compliance promotion, and enforcement. These services are delivered by staff organized into four regions in the province.

The Central Services Branch, under the supervision of the Director of Central Services, supports field activity by providing services in specialty areas such as engineering, occupational health, ergonomics, education material development, computer support, and facilitation. The Central Services Branch develops policies, legislation, industry-based programs, and service procedures in consultation with stakeholders that can be applied throughout the organization and the province.

Levels of activity tracked for this division are in Table 1, on page 46. Occupational Health and Safety orders for 1998–99 are broken down by Standard Industrial Classification in Figures 1 and 2, on pages 47 and 48, and by regulation and code of practice in Table 2, on page 49.

ACTS ADMINISTERED BY THE DIVISION

Occupational Health and Safety Act

The Occupational Health and Safety Act applies to all workplaces under provincial jurisdiction and establishes a system which identifies rights and responsibilities for the workplace parties.

Additional Acts

The division administers three additional acts related to health and safety: the Coal Mines Regulation Act, the Metalliferous Mines and Quarries Regulation Act, and the Hazardous Products Act. These acts are used in conjunction with the Occupational Health and Safety Act.

The Occupational Health and Safety Act is organized around five basic elements:

- **prevention**—education, policies, and procedures create a safe and healthy workplace in which, to the greatest extent possible, potential hazards are anticipated and prevented

- **internal responsibility**—each workplace is responsible for implementing an effective system for employer, employees, and others to cooperatively:
  - identify health and safety problems in the workplace
  - identify and implement potential solutions
  - provide an internal audit of the workplace's status with respect to health and safety requirements
- **external support**—a system external to the workplace for supporting the internal responsibility system within the workplace and for monitoring its effectiveness
- **enforcement**—legal sanctions that may be applied to parties who fail to comply with the requirements of the act
- **response to changing needs**—policy and leadership capacity of government and affected parties to evaluate and respond to the needs of the workplace

SIGNIFICANT EVENTS

Plummer Report

In December 1997, government received the report of the Westray Inquiry Commission. The Inquiry Commission recommended the review of the Occupational Health and Safety Division. This review, known as the *Plummer Report*, was completed and submitted in April 1999. The review supported the general operational philosophy of the Occupational Health and Safety Division and offered 14 recommendations for service improvement. The department accepted all 14 recommendations and began work on their implementation.

The Department's Response

The department, in accepting the recommendations contained in the *Plummer Report*, began implementing them.

Over the fiscal year, the OH&S Division made a concerted effort to fill the new positions identified in the *Plummer Report*. All positions within Field Services were filled. Several positions within Central Services were also filled, with the remainder to be filled in the following fiscal year.

In addition to hiring new staff, the division established a comprehensive three-week training program for Occupational Health and Safety Officers as part of an orientation to the programs, legislation, policy, and operation of the division. Core competencies were added to job descriptions. This orientation is followed by ongoing training in the field and in the classroom and mentoring by a senior officer until new officers are competent to assume full duties.

Processes were identified for evaluating the internal responsibility system in workplaces. Communication of client-based information within the division was enhanced. Staff continued targeting inspection processes and used them to increase recognition of occupational health and safety issues in all workplaces.

Stronger alliances with the Workers' Compensation Board were forged to assist the Occupational Health and Safety Division in delivering programs.

Transfer of Certifications

In response to the report of the Licences, Permits and Approvals Task Force, the Occupational Health and Safety Division began negotiations with the Apprenticeship and Trades Qualifications Division of the Nova Scotia Department of Education and Culture to transfer certifications related to coal mining and blasting to that department. At year-end, negotiations were still ongoing.

Occupational Health & Safety Concepts in Public School Curriculum

The OH&S Division is cooperating in and partially funding a project led by the Nova Scotia Department of Education and Culture to insert occupational health and safety concepts into the public school curriculum.

This project will see workplace health and safety concepts introduced into the public school system from primary to grade 12.

Partnerships

The division partners with external organizations to further the objectives of occupational health and safety. Partnerships with the following organizations continued:

- Forestry Safety Society of Nova Scotia
- Nova Scotia Construction Safety Association

- Nova Scotia Department of Education and Culture
- Nova Scotia Safety Council
- Retail Gasoline Dealers Association

The division also embarked on a program to recognize the audit of health and safety attributes considered by external certification agencies. This recognition included the audit requirements as well as quality control and quality assurance requirements.

The department entered into a Memorandum of Understanding with Human Resources Development Canada, Labour Program, relative to the exchange of services and resource sharing in the area of occupational health and safety.

Inspection Activity

In addition to maintaining inspection programs within the Occupational Health and Safety Division, a number of focused short-term inspection efforts targeted on specific industry sectors in areas of the province were conducted. During the fiscal year, residential construction in metropolitan Halifax, Sydney, and the Annapolis Valley was targeted.

Occupational Health and Safety Week

North American Occupational Health and Safety Week was held May 18 to 22, 1998. It was organized at an international level, with all Canadian jurisdictions as well as Mexico and the United States participating. The OH&S Division participated on the planning committee and as a financial sponsor. A number of events furthering the objectives of health and safety were held across the province.

Mine Rescue Competition

The 27th Nova Scotia Mine Rescue Competition was held June 5 and 6, 1998 at the Bayplex in Glace Bay. Four Cape Breton Development Corporation (Devco) teams participated, with the Muise Team from the Phalen colliery winning the overall competition. Canadian Salt participated in the New Brunswick competition.

Compliance Promotion

The Occupational Health and Safety Division delivers programs of education to encourage compliance with the existing laws of the province

and to provide information concerning revisions that are being considered. Officers provide programming developed by the division directly to workplaces on request or as a result of their observations while on site for other reasons.

Staff of the Occupational Health and Safety Division deliver programming, at professional development training sessions offered by organizations, to increase awareness of occupational health and safety as a workplace issue.

The Occupational Health and Safety Division assists private sector providers of occupational health and safety training by distributing programming developed by the division. The division trained trainers on programming that it developed to help the providers maintain the content and quality.

Information Distribution

The division identifies hazards of general interest to workplaces and issues hazard alerts when necessary. During the fiscal year, two hazard alerts were issued, the first in relation to guarding of specific types of equipment in the fishing sector and a second related to using articulated ladders.

Electronic access to the division was improved when its Internet home page was upgraded, including the addition of links to other agencies concerned with occupational health and safety. In the fiscal year a Memorandum of Understanding was signed with the Canadian Centre for Occupational Health and Safety for the establishment of a National Occupational Health and Safety website.

As in past years the department supported the Inquiry Service of the Canadian Centre for Occupational Health and Safety. This contribution results in the ongoing availability of a no-cost system for response to workplace health and safety questions.

The division maintained a video library, a resource for provincial workplaces to assist with workplace training. Titles were added to the library during the course of the year to expand the types of resources available. The division maintains the resources in partnership with the Nova Scotia Safety Council.

Legislation

The Occupational Health and Safety Advisory Council reported to the Department concerning legislation development. During the 1998–99 fiscal year the Occupational Health and Safety Division continued to revise regulations to strengthen them and to enhance workplace participation.

The department proceeded during the year with work on the following regulations:

- underground mining
- workplace violence
- joint occupational health and safety committees
- occupational health
- indoor air quality
- diving
- general safety
- summary offence tickets
- temporary workplace traffic control

The Workplace Violence Regulations were submitted to the Priorities and Planning Committee of Cabinet. That committee declined to proceed with implementation of the regulations in their submitted form and consultation on the content of the regulations continued.

Occupational Health and Safety Division Performance Measures

The division reviews occupational health and safety performance in Nova Scotia each year. It compares Workers' Compensation Board claims registration and compensable days information from year to year. These are variations of the traditional frequency and severity measures used in occupational health and safety.

To show trends, data was generated by year for the five previous years and a moving average was calculated. Performance measures are detailed in Table 3 on page 50.

The results suggest that health and safety performance in the province has begun to improve. Many factors can influence these measures and the department does not infer that the efforts of the Occupational Health and Safety Division are solely responsible for the improvement.

Historical data was also reviewed for these measures and is presented graphically on a three-year moving average in Figures 3 and 4 on pages 51 and 52.

OCCUPATIONAL HEALTH AND SAFETY ADVISORY COUNCIL

The Occupational Health and Safety Advisory Council is established under the Occupational Health and Safety Act. Under the act, the Council advises the Minister on:

- the administration of this act and the regulations
- occupational health and safety
- the exclusion of any profession, employee, employer, workplace, project, owner, occupation, industry, self-employed person, or dependent contractor from all or part of this act or the regulations
- any other matter relating to occupational health and safety

The Advisory Council provides a representative voice from stakeholders, monitors and evaluates the state of occupational health and safety in the province, and provides the Minister with collective advice and recommendations.

During the course of the fiscal year, the Advisory Council, which is scheduled to meet monthly, provided recommendations to the Minister on a series of matters related to occupational health and safety in the province. The membership of the council was renewed during the fiscal year with a series of employer and employee appointments.

PUBLIC SAFETY DIVISION

The Public Safety Division comprises three sections:

- Steam Boilers and Pressure Vessels
- Stationary Engineers
- Elevators, Lifts and Amusement Rides

ACTS ADMINISTERED BY THE DIVISION

Steam Boiler and Pressure Vessel Act

The Steam Boiler and Pressure Vessel Act applies to steam boilers and pressure vessels operating at a pressure in excess of 15 pounds per square inch. The act also applies to refrigeration plants having a capacity in excess of three tons in 24 hours. Boilers, pressure vessels, and refrigeration plants are initially inspected during installation and subsequently inspected on a recommended frequency to ensure continued safe operation of the equipment. The Boiler and Pressure Vessel Regulations are being rewritten.

Equipment subject to the Steam Boiler and Pressure Vessel Act is constructed in accordance with the Canadian Standards Association B-51 Boiler, Pressure Vessel and Pressure Piping Code as well as Canadian Standards Association B-52, Mechanical Refrigeration Code, and applicable American Society of Mechanical Engineers (ASME) Codes. Equipment manufactured in Nova Scotia is inspected during the construction phase by a provincial boiler inspector; equipment manufactured outside Nova Scotia is inspected by a representative of an Authorized Inspection Agency acceptable to the Chief Inspector. Such equipment is acceptable under the act subject to the manufacturer providing a Manufacturer's Data Report.

Welders engaged in boiler and pressure vessel construction or repair are tested under Section IX of the ASME Boiler and Pressure Vessel Code. A total of 1754 welders were tested during the fiscal year. (See Table 4, page 53.)

Elevators and Lifts Act

The Elevators and Lifts Act applies to the installation of elevating devices for the physically disabled, passenger and freight elevators, escalators, dumbwaiters, manlifts and incline lifts, such as ski-lifts and T-bars. The act also applies to major alterations to elevating equipment. The owners of elevators and lifts are required to have their equipment inspected at least once annually.

The latest edition of the Canadian Standards Association Safety Codes for elevators, dumbwaiters, escalators, and incline lifts are the standards used by the inspectors in carrying out their duties under the act and regulations.

The Elevators and Lifts Act requires that no person shall commence a new installation or a major alteration of an elevator, dumbwaiter, escalator, manlift, or incline lift until the drawings and specifications have been approved by the Chief Inspector.

No owner of an elevator, dumbwaiter, escalator, manlift, or incline lift shall operate it or cause or permit it to be operated unless it is licensed under the act.

Amusement Devices Safety Act

The Amusement Devices Safety Act provides for the inspection and licensing of amusement devices and structures at carnivals, fairs, and amusement parks.

The legislation helps to ensure that the equipment is designed, assembled, dismantled, and operated in a manner that will help guard against injuries to the general public. The latest edition of the Canadian Standards Association Safety Code for amusement devices is utilized by the inspectors in carrying out their duties under the act and regulations.

In order to be operated, amusement equipment must be licensed. Licences will be granted when a Certificate of Inspection has been issued and proof of financial responsibility has been provided to the Licensing Division of the Alcohol and Gaming Authority. Financial responsibility means that insurance provisions have been made for persons injured or killed while in or about the equipment.

RESEARCH DIVISION

Research and Information Services Division

The Research and Information Services Division is responsible for developing and disseminating information related to labour activity such as collective bargaining and occupational health and safety. This information is used to develop legislation, programs, and administrative policies as well as support the various operational needs within the department. Publications undertaken by the division are made available within the department, as well as to labour, management, other government agencies, and the general public. The division is responsible for the department's library, record management program, business services, and freedom of information coordination.

Research Activity

As well, the division responds daily to a wide variety of requests from labour, management, other government departments, and the general public. These requests focus primarily on recent activity in collective bargaining, wage rates, the provincial labour market, and general economic activity.

All collective agreements on file with the department are studied and analyses of major provisions placed on computer. This provides an immediate source of reference on all agreements and provides a basis for further information dissemination. The division prepares data on work stoppages (see Table 5, page 54) contract terminations, and construction industry wage rates.

The division summarizes all grievance arbitrations that are filed with the department. These summaries provide the basis for the annual publication *Compendium of Grievance Arbitration Decisions*. The summaries of the arbitrations outline the issues of the case, the arbitrator's decisions, and the arbitrator's award. Issues are indexed according to the Brown and Beatty standard.

The division also prepares the department's annual report.

Library

The Department of Labour library was established in 1970. At the end of 1998–99 there were approximately 7,020 titles (books, government documents, and periodicals) in the collection. Library holdings cover such areas as labour legislation, working conditions, workers' compensation, industrial relations, fire prevention, mine safety, and health and safety in the workplace. Many of the library's functions and information management services are computerized, providing access to external and in-house databases. It maintains a collection of provincial grievance arbitration decisions and produces a quarterly *Compendium of Grievance Arbitration Decisions in Nova Scotia*. It also provides information and services to department staff, other government departments, unions, management, the legal community, and the general public by appointment only.

The library also maintains the Department of Labour's website.

Records Management

The division is responsible for the development, implementation, and maintenance of the Records Management Program as set out in the *Records Management Manual 301*. This includes responsibility for a complete description of all information resources within the department, as well as the operation and management of a database resource of all recorded information of the department. In addition, records retention schedules must be properly developed and applied so that records are disposed of in accordance with the Public Records Disposal Act and government policy.

Business Services

This area provides the internal administration functions for the department as well as coordination with the Central Services Unit of the Department of Finance. Activities include property management, faculty management, inventory control, purchasing, fleet management, mail management, and reception services.

Freedom of Information Coordination

The Research Division handles requests for information for the Department of Labour under the Freedom of Information and Protection of Privacy Act. This act permits the open disclosure of information to interested parties while also protecting the privacy of individuals. During the 1998–99 fiscal year 82 requests were received, including requests about the Office of the Fire Marshal.

INDUSTRIAL RELATIONS DIVISION

The Trade Union Act and the Teachers' Collective Bargaining Act establish the right of employees to bargain, and each sets out the procedure for orderly collective bargaining. In an endeavour to encourage and promote harmonious labour-management relations, the Industrial Relations Division was set up to provide conciliation and mediation services to labour and management impartially.

The Industrial Relations Division, Conciliation Services Section, is charged with the administration of some of the provisions of the Trade Union Act and Teachers' Collective Bargaining Act. Under the acts, the duties and functions of the division are many and varied. Division statistics detailed in Table 6, page 55.

CONCILIATION/MEDIATION

This includes the appointment of conciliation/mediation officers in labour-management disputes and the processing of Conciliation Board appointments and Industrial Inquiry Commissions regarding negotiations for a renewal or revision of the agreement or the conclusion of a new collective agreement.

PREVENTIVE MEDIATION

Conciliation Services offers several programs in the general area of preventive mediation as well. All are offered on a voluntary basis.

Grievance Mediation

This process offers the parties an opportunity to mediate grievances prior to arbitration with a view to settling their differences. The process saves time and costs of arbitration while improving the parties' problem-solving skills and their labour-management relationship.

Joint Supervisor/Steward Training

This is a one-day seminar offering the parties an opportunity to understand each other's point of view, discover how much they have in common and develop and enhance their present relationship into a more positive one that benefits everyone in the workplace. The emphasis is on practical labour relations and communications.

Conciliation Services conducted three Joint Training Seminars during the 1998–99 fiscal year.

Labour-Management Committees

Conciliation Services will assist the parties in setting up joint committees to deal with day-to-day problems before they grow into disputes which end up in the grievance procedure or at the bargaining table.

Relationship by Objectives—RBO

This is an intense, issues-orientated approach to planning the future relationship of management and union. The parties analyze their present relationship and problems of mutual concern, establish common objectives and decide on the ways and means to implement those objectives.

First Agreement Orientation

When negotiations begin for a first collective agreement there may be a lack of information and understanding on the part of the union and/or the employer as to the bargaining and conciliation process.

This program provides an information service to assist in making negotiations proceed smoothly. The focus is on legislated procedural elements such as information on notification requirements, duties of the parties, conditions precedent to a legal strike/lockout, as well as explaining the additional services provided by Conciliation Services. The program is not designed to teach labour relations techniques.

The program is voluntary and is available at no cost to the parties.

LABOUR STANDARDS DIVISION

The function of the Labour Standards Division is to deal with inquiries and complaints from the public about how the provincial Labour Standards Code applies to specific employment situations. Labour Standards staff attempt to facilitate settlements of the complaints through the self-help process. If this process fails, staff investigate and, if the Labour Standards Code is not being adhered to, they work to achieve compliance. The Labour Standards Division also advises and educates the public on how the Labour Standards Code and the Remembrance Day Act should be applied in certain situations. For example, in 1998–99, Labour Standards staff responded to 23 public requests for speakers.

The Labour Standards Code contains provisions for setting minimum wage levels in all industries and for setting industrial standards rates for the trades in the construction industry. It prohibits the employment of persons under 14 years of age, unless certain conditions are met, and persons under 16 years of age in certain industries. It requires that employers pay the same wage to female and male workers performing work that is substantially the same as that performed by persons of the opposite gender in the same establishment. It also requires that qualifying female employees be granted pregnancy leave; it requires that employees be granted parental, bereavement, and court leave. The code also requires employers to maintain certain information in their payroll records; it imposes the requirement that all employees receive vacation pay; it protects an employee's right to receive wages earned; it requires employers and employees to give notice of termination of employment; it requires that employees, subject to certain exceptions, receive at least 24 consecutive hours off work in every period of seven days; and it requires that employees who qualify receive pay for certain designated holidays throughout the year. It protects employees from discrimination because garnishment proceedings have been taken and because the employee has filed a complaint or testified in a proceeding under the code.

Any decision rendered by the Labour Standards Division may be appealed to the Labour Standards Tribunal of Nova Scotia, which is empowered under the provisions of the Labour Standards Code to make decisions concerning the application of the code.

Labour Standards staff may, in the course of their duties, carry out routine inspections of an employer's payroll records as well as conduct investigations arising from specific complaints.

On October 1, 1996 protection under the Labour Standards Code and Minimum Wage Order was extended to domestic servants who work more than 24 hours per week and who care for persons other than members of their immediate family. Coverage was also given to members and students engaged in training for the following professions: architecture, dentistry, law, medicine, chiropody, optometry, pharmacy, professional engineering, public and chartered accounting, psychology, surveying, and veterinary science.

During the period of April 1, 1998 to March 31, 1999, routine inspections under the Labour Standards legislation were conducted throughout the province at 17 establishments. As a result, 12 firms involving a total of 203 employees were found to be in violation.

Complaints were filed by 1,801 persons; 1,872 complaints were resolved after investigation, and 1,742 violations of the code were found in those investigations. The division collected $1,052,301.97 on behalf of people in situations where violations of the code were found.

INDUSTRIAL STANDARDS

Four trades in the construction industry in the city of Sydney, and five in the cities of Halifax and Dartmouth, come under the provisions of the Industrial Standards section of the Labour Standards Code.

The following rates were in effect in Halifax and Dartmouth at the end of the fiscal period:

Trade	Rates per Hour
Plumbing, Steamfitting, and Pipefitting Trade	7.33
Labourers in Building Construction	5.80
Plastering Trades	6.38
Sheet Metal Trade	7.33
Electrical Trade	5.63
Charge hand	5.78
Foreman	5.98

The following rates were in effect in Sydney at the end of the fiscal period:

Trade	Rates per Hour
Carpentry Trade	5.95
Carpentry Foreman	6.40
Labourers	
Non-working Foreman	5.75
Jackhammer	5.60
Dynamite Helper	5.75
Dynamite Blaster	6.25
Cement Finisher	5.85
Sandblaster (masonry and concrete)	5.75
Burner and Welder	5.75
Painting Trade	
Foreman	5.85
Plumbing and Pipefitting Trades	
Journeyman	5.95
Foreman	6.40

These rates in all cases are for a regular work week of 40 hours.

During the fiscal period, no violation was found involving this section of the Labour Standards Code.

Discriminatory Action

One firm involving one employee was found to be in violation of this section of the Labour Standards Code, which resulted in collection of $461.54.

Hours of Labour

Thirteen applications were made for exception to the requirement to grant 24 consecutive hours off work in each period of seven days. Eleven were granted subject to specific conditions.

Employment of Children

No violation involving this section of the Labour Standards Code was found.

Equal Pay

No violation involving this section of the Labour Standards Code was found.

Pregnancy and Parental Leave

No violation involving this section of the Labour Standards Code was found.

Bereavement and Court Leave

No violations involving these sections of the Labour Standards Code were found.

Records

Two firms involving 36 people were found to be in violation of this section of the Labour Standards Code. Management was instructed to keep proper records and agreed to comply. As well, eight employers were directed to provide statements of earnings to employees.

Vacation Pay

Because the owners cannot be located, 951 Vacation Stamp Books, one envelope containing vacation stamps, and 126 cheques were held. The books contain stamps to the value of $7,211.98, the envelope contains stamps to the value of $1.23, and the cheques total in value $922.49. Vacation pay stamps to the value of $16.05 were cashed.

The division found 373 firms in violation of this section of the Labour Standards Code. As a result of the investigations, 640 people received $120,768.84 as vacation pay. Also seven firms owed vacation pay to 72 people; however, the division was unable to effect settlements.

Minimum Wage

Forty-nine firms were found to be in violation of this section of the Labour Standards Code. As a result of the investigations, 55 people were paid $10,469.45 in wages by their employers or former employers.

Protection of Pay

There were 339 firms found to be in violation of this section of the Code. As a result of the investigations, 464 people received $194,125.24 as wages. Also eight firms were found to owe wages to 64 people; however, the division was unable to effect settlements.

Termination of Employment (Section 71)

It was found that 15 firms were in violation of this section of the Labour Standards Code. As a result of these investigations, 17 people were paid $455,493.98 as compensation by their former employers and two employers were ordered to reinstate as a result, but the employees accepted payment in lieu of returning to work.

Termination of Employment (Section 72)

It was found that 208 firms were in violation of this section of the Labour Standards Code. As a result of the investigations, 306 people were paid $162,392.91 as wages in lieu of notice by their former employers.

Termination of Employment (Section 73)

It was found that 38 employees were in violation of this section of the Labour Standards Code. As a result of the investigations 38 employers were paid $79,561.78 as compensation from their former employees for failure to give proper notice of termination.

Holidays with Pay

Sixty-five firms were found to be in violation of this section of the Code, which resulted in $27,525.55 as holiday pay being paid to 228 people by their employers.

Twelve firms were granted variances allowing them to substitute an alternate holiday for a general holiday.

WORKERS' ADVISERS PROGRAM

Mandate and History

The Workers' Advisers Program is a legislated agency and reports to the Legislature through the Minister of Labour, providing assistance, advice, and representation in accordance with prescribed eligibility criteria to workers seeking compensation as prescribed in Part III of the Workers' Compensation Act.

The following is taken from the Annual Report of the Workers' Advisers Program. A complete copy of the report can be found at http://www.gov.ns.ca/labr/wap/ar98-99.htm or at the Department of Labour library.

In 1957, an amendment made to the Workers' Compensation Act authorized the appointment of a Workmen's Counsellor to assist an injured worker in preparing his claim to the Workmen's Compensation Board. In the 1980s and 1990s the program grew.

In 1996, changes to the Workers' Compensation Act established the Workers' Advisers Program to represent eligible injured workers who found themselves in an appeal process that was expensive, time consuming, and very complicated.

Annual Program Expenditures

During the last seven years, when this program decreased expenditures fairly steadily despite substantial change, it ensured that quality of service remained consistent. The following table shows the decrease in expenditures.

1991–92	$ 2,895,125
1992–93	2,774,616
1993–94	2,572,250
1994–95	1,772,921
1995–96	2,130,657
1996–97	1,928,318
1997–98	1,966,691
1998–99	1,532,531

Personnel

The Halifax office consists of a core team of one Chief Worker Adviser, one supervisor office services, one intake clerk, one secretary/receptionist, two secretaries, five advisers (solicitors), and one adviser (non-lawyer). The Halifax office has expanded to add temporarily four advisers and two secretaries.

Our Sydney office consists of a core team of one adviser (solicitor), two advisers (non-lawyer), one secretary/receptionist, and one secretary. The Sydney office has also temporarily added one adviser and one secretary.

Client Services

As representatives of injured workers, advisers represent an eligible injured worker through all phases of his or her appeal in the Workers' Compensation system, beginning with the first denial at the Workers' Compensation Board and ending when an appeal is completed.

Intake

An intake process and Eligibility Regulations determine whether an injured worker is eligible for service. The first determination to be made is whether the worker is requesting legal assistance as a result of a denial from the Workers' Compensation Board. The Intake Clerk determines the worker's eligibility at the time of the telephone interview. If the worker is ineligible, the request for service is refused. If the worker is eligible for service, an appointment is made with an adviser. If a worker is refused service, he/she is informed and given reasons. At the ineligible worker's request, the application may be forwarded to the Chief Worker Adviser for a final determination of eligibility. If the Chief Worker Adviser determines the worker is not eligible for services, the worker is advised of the reasons and the process is documented and the request refused. If eligible for service, a worker becomes a client of the program.

Resource

Not all workers contacting the program require legal representation. An adviser is available at all times to provide information and general advice to callers.

Representation

In representing injured workers, the adviser attends hearings and meetings, obtains evidence, consults with the injured worker, and presents

his or her evidence before the deciding body. The adviser also maintains a detailed client file consisting of all of the personal information of the injured worker necessary to pursue the appropriate benefits.

The Workers' Advisers Program is not mandated to represent injured workers as a special interest group or to lobby government for changes in legislation. The program does not pursue other matters peripheral to the Workers' Compensation Board claim, such as Canada Pension benefits, Employment Insurance, and Social Assistance.

Workers' advisers also do not represent employers on compensation appeals and do not advise or represent governments or other agencies on matters of workers' compensation.

A workers' adviser becomes an expert in the area of workers' compensation law and has ready access to the research and materials necessary to successfully pursue an appeal. Advisers are attuned to the issues and pressures affecting injured workers and achieve a level of understanding of the frustrations met by injured workers throughout their dispute with the Workers' Compensation Board.

Advisers of the Workers' Advisers Program filed 1,574 submissions on behalf of their clients in 1998–99, attended 314 hearings and 214 alternate dispute resolution settlement conferences, and made 26 appearances at the Court of Appeal.

The program served 3,426 clients during this fiscal year.

Alternate Dispute Resolution

In May 1997, the Workers' Compensation Appeals Tribunal in cooperation with the Workers' Advisers Program and the Workers' Compensation Board commenced an ADR project in an attempt to resolve outstanding transitional appeals before the Tribunal and to provide an alternative to the regular hearing process.

Phase I of this project was completed in August 1998. The Workers' Advisers Program represented virtually all workers, coordinated all responses from clients invited to participate, and scheduled all settlement conferences in Phase I. The program continued to work with the other agencies in the system to develop and begin implementation of Phase II.

Select Committee

The Select Committee on the Workers' Compensation System was established under Resolution 844 on June 22, 1998.

During this process, the Workers' Advisers Program was invited to make a presentation before the committee to outline the program mandate, services provided and processes in place, statistical data, and concern about the compensation system as noted by advisers in representing injured workers.

Tripartite Committee

While the Workers' Advisers Program has no legislated obligation to the Workers' Compensation Board or the Workers' Compensation Appeals Tribunal to represent their interests or promote their processes, we are able to ease the administrative burden on those agencies by providing the Workers' Compensation Board and the Tribunal with a central agency for injured workers.

Due to the work of the program, the Workers' Compensation Board and Tribunal do not have the difficult job of informing and training each worker who may want to pursue an appeal. The Board and Tribunal can refer individuals to the Workers' Advisers Program and trust that eligible workers will receive the information and assistance to pursue an appeal.

In an effort to promote a cohesive system, a committee was formed with representation from the senior management group of each agency to share information in areas of common interest and to address administrative issues arising among the three groups.

Legislative Changes (Bill 90)

Bill 90 was debated and received Royal Assent on April 16, 1999. This legislation affects the work and resources of the Workers' Advisers Program as the Workers' Compensation Board and the Workers' Compensation Appeals Tribunal respond to the amendments to the act.

Although the program structure and procedures remain predominantly unchanged, the Appeals Tribunal's accelerated plan to clear the backlog will require the program to respond to more than twice the number of submissions and hearings it now faces.

Staff Training

In an effort to ensure that all employees of the program are consistently trained, to identify the training needs of our staff, and to use the considerable talent within the office, a training committee was formed.

The committee has developed a training plan for advisers, the intake clerk, and secretaries with work continuing to include all staff positions. This includes a catalogue of working knowledge and skills required for each position and a comprehensive library of tools and resources to support the training initiative for orientation of new employees and the continuing education of existing staff members.

This year an association of Canadian advocates for injured workers was formed, enabling the program to draw knowledge and ideas from other jurisdictions across Canada.

BOARDS AND TRIBUNALS

LABOUR RELATIONS BOARD

The Labour Relations Board processes applications and complaints pursuant to Part I of the Trade Union Act; the Construction Industry Panel largely acquires its authority for activities in the construction industry from Part II of the same legislation.

The Board and Panel members are part-time. They meet and conduct hearings to decide issues relative to the Trade Union Act. Both bodies include equal numbers of labour and management representatives, with an impartial person acting as chair. A full-time staff located in Halifax is responsible for initial processing of applications/complaints and regularly is required to conduct examinations, investigations, and representational votes at work-sites across Nova Scotia.

During the period under review, the Labour Relations Board issued 23 certification orders. In addition, 15 applications were dismissed and six are still pending. Four applications for amendment were granted, one was dismissed, and one was withdrawn, with three still pending. Five applications for revocation of certification were processed: four were granted and one was withdrawn. (See Table 7, page 57.)

Seventeen complaints of unfair labour practice were submitted to the board, of which twelve were withdrawn, two were dismissed, and three are still pending.

The board received 11 complaints of failure to negotiate pursuant to section 35(a): of these one was dismissed, six were withdrawn, and four are pending.

One complaint concerning change of conditions of employment, pursuant to section 35(b), was received, which was dismissed.

Under section 31 of the Trade Union Act, the board dismissed one application for successor rights, and one is still pending.

There are 17 cases still before the Labour Relations Board at the end of the 1998–99 fiscal year.

CONSTRUCTION INDUSTRY PANEL

Between April 1, 1998 and March 31, 1999, the Construction Industry Panel of the Labour Relations Board granted 36 applications for certification. Fifteen cases were dismissed, one was withdrawn, and two are still pending.

Ten complaints of unfair labour practice were filed: four were dismissed, two were withdrawn, and four are outstanding.

Fifteen applications for declaration of successor rights, pursuant to Section 31, were filed: three were granted, one was dismissed, four were withdrawn, and seven are still pending.

Four jurisdictional complaints were filed. Two Interim Orders were issued, one complaint was dismissed, and one was confirmed.

Fourteen applications for appeals of panel orders were received; four were revoked, one was withdrawn, and five were dismissed.

There are 19 cases still pending before the Construction Industry Panel at the end of the fiscal year.

LABOUR STANDARDS TRIBUNAL

The Labour Standards Tribunal is a part-time body that hears complaints of failure to comply with the Labour Standards Code. The code came into effect by proclamation on February 1, 1973.

Under the code, the Labour Standards Tribunal will hear complaints in the form of appeals by employers or employees against Director of Labour Standards orders; appeals by complainants after the director has found no violation of the code. After hearing an appeal, if the tribunal finds wages or other benefits owing, it may issue an order for compliance. The tribunal is deemed to hold a mortgage on the assets of the employer for the amount set out in the order. This lien takes priority over all other liens, except liens for wages due to workers by that employer. The tribunal's mortgage may be enforced by foreclosure proceedings.

A breakdown of the sections of the code that were alleged to have been violated is shown below. A complaint may involve an alleged violation of more than one section of the code.

Alleged Violation of	Total Complaints	Ordered to Pay	Dismissed	Settled	Withdrawn	No Hearing
Minimum Wage s.50 Minimum Wage Order s.3,5,6,9	7	7	–	–	–	–
Protection of Pay s.79,80	47	21	8	12	6	16
Vacation Pay s.34,32	38	22	4	11	1	10
Termination of Employment s.71,72,73,74	38	9	9	12	8	17
Holiday with Pay s.37	4	4	–	–	–	–
Employee Protection s.30	1	1	–	–	–	–
Equal Pay s.57	2	–	1	–	1	1
	137	64	22	35	16	44

Of the 137 complaints, the tribunal held 44 hearings. Eight cases were settled before the hearing date and 4 cases were withdrawn before the hearing date. In 12 cases, no hearing was scheduled due to settlement reached between the parties or appeals being withdrawn. The tribunal issued 64 orders.

Between April 1, 1998 and March 31, 1999, the tribunal issued orders amounting to $116,016.35 (less applicable employee statutory deductions), which represented monies owed to 64 employees and one employer. During the same period, it collected $109,484.90, as settlement for orders affecting 50 employees and one employer. It also collected $1,210,958.86, representing payment of an order that had been issued in the previous fiscal year.

STATIONARY ENGINEERS BOARD

A part-time Board of Examiners reviews and assesses all applications and examinations of persons seeking certification under the provisions of the Stationary Engineers Act. The board is responsible for establishing plant classifications and establishing the minimum level of certification required for stationary engineers who are responsible for the safe operation of each plant. The Stationary Engineers Board consists of a chairperson plus two to four other members. The operations related to the administration of the act are carried out by full-time staff. Their activity levels are detailed in Table 8, page 61.

The Stationary Engineers Act and regulations are currently being rewritten as the new Power Engineers Act and regulations and the Crane Operator's Act and regulations.

The mandate of the Stationary Engineers Section can be broken down into three main areas:

Examination of stationary engineers in the following disciplines:

- boiler plant operation
- refrigeration plant operation
- compressor plant operation
- crane operation

Inspections to determine compliance under the Stationary Engineers Act and regulations and the issuance of orders to establish compliance.

Advising owners, plant design engineers, and concerned individuals, regarding requirements under the act.

As of March 31, 1999, there were 4,921 active, certified stationary engineers on file and 303 registered plants.

BOARD OF EXAMINERS FOR CERTIFICATION OF BLASTERS

The board determines the subject matter of exams that are administered to applicants for Blaster's Certificates of Qualifications. Through its examination process, the board contributes to the protection of workers and the public at or near a site where explosives are used. Activities are detailed in Table 9, page 62.

BOARD OF EXAMINERS OF MINING EXAMINATIONS

Under the Coal Mines Regulations Act, certain positions in underground coal mining must be filled by persons who meet specified standards of fitness, training, and competency.

The Board of Examiners is responsible for overseeing examinations and for recommending the issuance of certificates of competency. Its activities are detailed in Table 10, page 63.

The board consists of five members and one observer from the federal government (Human Resource Development Canada, Labour Program).

Training and examination for certificates of competency include mine manager, underground manager, supervisor, mine examiner, mine electrical (first and second class), stationary engineer (first and second class), hoist operator, coal miner, mine surveyor, and mine rescue worker.

The board is also responsible for making recommendations to the Minister for changes to regulations as necessary for the board to properly carry out its duties.

OCCUPATIONAL HEALTH & SAFETY APPEAL PANEL OFFICE

The Occupational Health and Safety Act, ch. 7, R.S.N.S., 1996, and the Occupational Health and Safety Appeal Panel Regulations established the Occupational Health and Safety appeal function as of January 1,1997. The purpose of an appeal panel established under this act and regulations is to adjudicate disputes relating to both the technical aspects of health and safety and the protection of individual employees from employer or union reprisals when they have discharged their responsibilities under the act. Matters proceed to the appeal panel level after an initial appeal to, or decision by, the Director of Occupational Health and Safety, who is a member of the Department of Labour.

To identify individuals for inclusion on the list of appeal panel members, the Department of Labour publicly advertised for applications and sought recommendations from employer and employee organizations. This appointment process produced two lists of individuals who had been accepted by the respective groups consulted as representing the employer or employee perspective, also identified a chairperson recognized for occupational health and safety experience and neutrality in the field. Appointments were then made using information arising from this process.

Appeal panels are designated, as needed, for specific cases. Panels, usually consisting of a chairperson and one employer and one employee representative, are established by rotating assignments among those on the membership list based on criteria set out in Occupational Health and Safety Appeal Panel Regulations. There is to be provision for appeals, heard by a single adjudicator when parties request and can agree on an adjudicator. Hearings occur in Halifax and Sydney. As of March 31, 1999, there is a 16-member roster available for designation of case-specific appeal panels.

TABLE 1

OCCUPATIONAL HEALTH AND SAFETY DIVISION
TRACKED ACTIVITY
1998–99

Tracked Activity	Numbers
Prosecutions Initiated	14
Fatalities Investigated	12
Work Refusals Investigated	24
Appeals of Officer Decisions	17
Appeals of Director Decisions	5
General Inspections	1,022
Joint Inspections	128
Re-inspections	143
Complaints Investigated	533
Incidents Investigated	185
Discriminatory Action Complaints	51
Consulting Services	214
Educational Services	64
Meetings	308

FIGURE 1

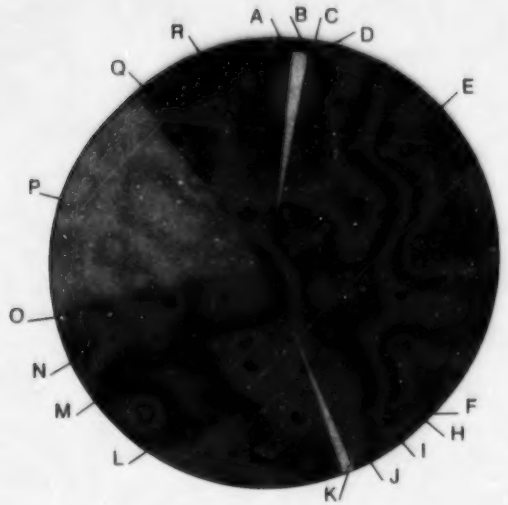
OCCUPATIONAL HEALTH AND SAFETY DIVISION
ACTIVITY BY INDUSTRY GROUP
1998–99

A	Accommodation/Food/Beverage	1.6%
B	Agricultural and Related Services	1.0%
C	Business Services	1.1%
D	Communications	2.6%
E	Construction	37.6%
F	Education Services	2.8%
G	Finance and Insurance	0.1%
H	Fishing and Trapping	0.6%
I	Government Services	7.7%
J	Health and Social Services	3.3%
K	Logging and Forestry	2.2%
L	Manufacturing	16.5%
M	Mining, Quarrying and Oil	3.7%
N	Other Services	4.2%
O	Real Estate/Insurance	0.4%
P	Retail Trade	7.5%
Q	Transportation and Storage Industries	2.3%
R	Wholesale Trade	4.9%

* Standard Industrial Classification

FIGURE 2

OCCUPATIONAL HEALTH AND SAFETY DIVISION
ORDERS BY INDUSTRY GROUP
1998–99



A	Accommodation/Food/Beverage	1.7%
B	Agricultural and Related Services	1.4%
C	Business Services	0.5%
D	Communications	1.3%
E	Construction	31.4%
F	Education Services	1.0%
G	Finance and Insurance	0.0%
H	Fishing and Trapping	0.3%
I	Government Services	4.2%
J	Health and Social Services	2.0%
K	Logging and Forestry	1.0%
L	Manufacturing	19.3%
M	Mining, Quarrying and Oil	1.9%
N	Other Services	5.5%
O	Real Estate/Insurance	0.4%
P	Retail Trade	18.2%
Q	Transportation and Storage Industries	1.4%
R	Wholesale Trade	8.6%

* Standard Industrial Classification

TABLE 2

ORDERS ISSUED UNDER THE
OCCUPATIONAL HEALTH AND SAFETY ACT,
ASSOCIATED REGULATIONS & CODES OF PRACTICE
1998–99

Legislation	Number of Orders Issued
Occupational Health and Safety Act (1997)	1,905
Stop Work Orders	167
Deviations Granted	30
Codes of Practice Required	22
Appeal Panel Regulations	–
Construction Safety Regulations	323
Disclosure of Information Regulations	–
Fall Protection & Scaffolding Regulations	516
First Aid Regulations	471
General Blasting Regulations	17
Industrial Safety Regulations	727
Occupational Health Regulations	3
Temporary Workplace Traffic Control Regulations	15
WHMIS Regulations	296
Codes of Practice	
Managing Asbestos	3
Removal of Friable Asbestos	–
Working with Lead	–
Total	4,490

TABLE 3

OCCUPATIONAL HEALTH AND SAFETY PERFORMANCE MEASURES BASED ON WORKERS' COMPENSATION BOARD AND STATISTICS CANADA DATA FOR THE CALENDAR YEARS 1994–98

Description	Annual Data					Five Yr.
	1998	1997	1996	1995	1994	Aver.
Actual Work Force [1]	404,000	392,000	385,000	384,000	380,000	389,000
All Claims Registered with the WCB [2]	33,050	32,092	30,671	33,885	35,832	33,106
Short-term Disability Claims Registered with the WCB [2]	8,170	7,697	7,995	11,974	13,306	9,828
Compensable Days for all Short-term Disability Claims [3]	439,852	402,749	448,428	571,683	657,250	503,992
Compensable Days for Claims Opened During the Year	201,842	193,025	168,120	224,740	271,775	211,900
Short-term Disability Claims [3] for which Payments Were Made	10,110	10,184	10,758	14,134	16,914	12,420
Fatalities [4] Reported During the Year	28	29	18	27	16	24
Average # of Registered WCB Claims per 100 Employees	8.18	8.19	7.97	8.82	9.43	8.52
Average # of WCB Short-term Disability Claims per 100 Employees	2.02	1.96	2.08	3.12	3.50	2.54
Average # of Compensable Days for all Short-term Disability Claims Receiving Benefits During the Year	43.51	39.55	41.68	40.45	38.86	40.81
Average # of Compensable Days for Short-term Disability Claims Opened in the Year	24.71	25.08	21.03	18.77	20.43	22.00
Number of Fatalities Reported per 100,000 Workers	6.93	7.40	4.68	7.03	4.21	6.05

[1] Reference: Statistics Canada, Household Surveys Division, the Labour Force, various editions, (1992–98), Statistics Canada.

[2] Workers' Compensation Board of Nova Scotia, annual report (1992–1998).

[3] Workers' Compensation Board of Nova Scotia, personal communications.

[4] Fatalities include provincial/federal jurisdictions and chronic deaths in the province for the calender year.

FIGURE 3

NUMBER OF REGISTERED WORKERS' COMPENSATION BOARD CLAIMS THREE-YEAR MOVING AVERAGE 1992–98

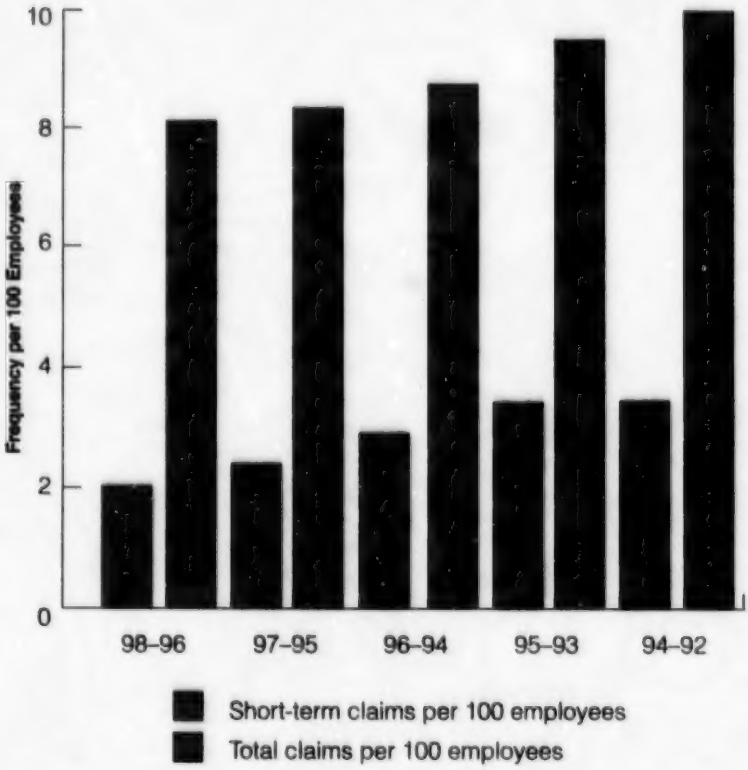


FIGURE 4

DURATION OF REGISTERED WORKERS' COMPENSATION BOARD CLAIMS THREE-YEAR MOVING AVERAGE 1994–98

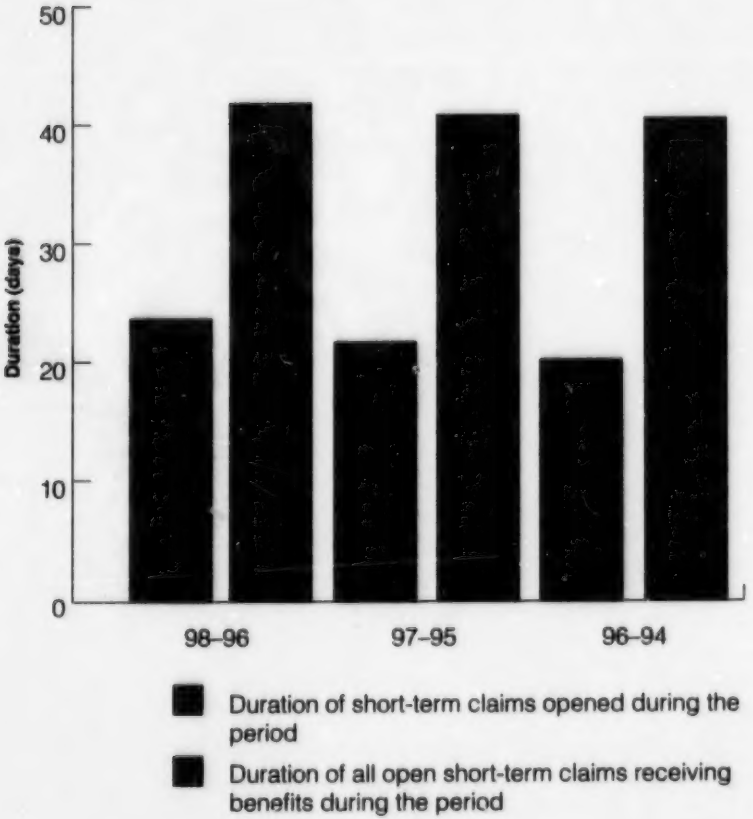


TABLE 4

PUBLIC SAFETY DIVISION INSPECTIONS 1998–99

STEAM BOILER AND PRESSURE VESSEL ACT	
Internal Inspections	855
External Inspections	1,367
Inspection—New Installations	342
Repairs—Boilers & Pressure Vessels	134
Shop Inspection—New Construction	1,572
Plant Inspections	23
Piping Inspections	181
Hydrostatic Tests	183
Safety Valves Tested	29
Removed from Service—Boilers	4
Removed from Service—Pressure Vessels	11
Accident Investigations	6
Total Inspections	4,871
Related Services	
Directives Issued	376
Survey & Registration of Designs	727
Insurance Company Reports Processed	596
Welding Tests (Including Procedures)	1,891
ELEVATORS AND LIFTS ACT	
Number of Units Licensed	2,270
Inspections (Including Re-inspections)	
Annuals	1,028
New Installations	164
Major Alterations	26
Physically Disabled	67
Other (Incl. Personnel and Material Hoists)	117
Plans Approved	105
Units Removed from Service	27
Accident Investigations	10
Directives Issued	3,327
AMUSEMENT DEVICES SAFETY ACT	
Inspections	267
Units Not Placed in Service	—

TABLE 5

RESEARCH AND INFORMATION SERVICES DIVISION
WORK STOPPAGES
APRIL 1, 1998–MARCH 31, 1999

Industry	Stoppages	Person Days Lost
Construction	2	143
Fishing	—	—
Finance	—	—
Forestry	—	—
Manufacturing	2	699
Mining	—	—
Public Administration	8	16,634
Consumer, Business, and Personal Services	—	—
Trade	4	6,432
Transportation, Communications, and Other Utilities	—	—
Total	**16**	**23,908**
Duration		
One day or less	4	335
2 to 6 days	6	4,217
7 to 31 days	5	13,276
31 or more days	1	6,080
Total	**16**	**23,908**
Number of Workers		
50 or less	8	1,339
51 to 200	4	7,619
201 to 500	4	14,950
More than 500	—	—
Total	**16**	**23,908**
Person Days Lost		
50 or less	3	81
51 to 200	4	312
201 to 500	3	907
More than 500	6	22,608
Total	**16**	**23,908**

Notes: These statistics include both legal and illegal work stoppages for collective bargaining governed by the Nova Scotia Trade Union Act.

TABLE 6

INDUSTRIAL RELATIONS DIVISION ACTIVITIES
APRIL 1, 1998–MARCH 31, 1999

	1998/99	1997/98
Conciliation Officer Level		
In Process April 1, 1998	55	37
New During Period	177	82
Total Cases	**232**	**119**
Officer Level		
Settled at Officer Level	100	54
Referred to Conciliation Board	2	—
Referred to Industrial Inquiry Commission	—	—
Conciliation Lapsed	1	2
Conciliation Withdrawn	4	4
Certification Revoked	1	2
Referred to Mediation	4	1
Referred to Binding Arbitration	2	1
Referred to Interest Arbitration	2	—
Company Closed/Defunct	1	—
In Process March 31, 1998	115	55
Total Number of Cases at Officer Level	**232**	**119**
Industrial Inquiry Commission Level		
In Process April 1, 1998	—	—
In Process March 31, 1999	—	—
Total Number of Cases at Commission Level	**—**	**—**
Conciliation Board Level		
In Process April 1, 1998	—	—
New During Period	2	—
Settled During Period	1	—
In Process March 31, 1999	1	—
Total Number of Cases at Board Level	**2**	**—**
Mediation Level		
In Process April 1, 1998	1	—
New During Period	4	1
Settled During Period	3	—
In Process March 31, 1999	2	2
Total Number of Cases at Mediation Level	**5**	**1**

TABLE 6

INDUSTRIAL RELATIONS DIVISION ACTIVITIES
APRIL 1, 1998–MARCH 31, 1999
(CONTINUED)

	1998/99	1997/98
Grievance Mediation Level		
Total Requests	40	91
Withdrawn/Not Completed	5	43
Cases Heard	35	48
Referred to Arbitration	8	6
Settled	27	42
Total Cases at Grievance Mediation Level	**40**	**91**

TABLE 7

LABOUR RELATIONS BOARD AND CONSTRUCTION INDUSTRY PANEL ACTIVITIES

	Board		Panel	
	1998–99	1997–98	1998–99	1997–98
Application for Certification				
Granted	23	38	36	37
Dismissed	15	13	15	21
Withdrawn	–	1	1	1
Revoked	–	–	–	–
Lapsed	–	–	–	–
Pending	6	–	2	–
Application for Amendment Orders				
Amended	4	12	–	–
Dismissed	1	2	–	–
Withdrawn	1	5	–	–
Confirmed	–	–	–	–
Lapsed	–	–	–	–
Pending	3	–	–	–
Application for Revocation of Certification				
Revoked	4	7	–	–
Dismissed	–	3	–	–
Withdrawn	1	–	–	–
Lapsed	–	–	–	–
Pending	–	–	–	–
Complaint of Unfair Labour Practice				
Violation Found	–	–	–	–
Dismissed	2	1	4	1
Withdrawn	12	3	2	4
Lapsed	–	–	–	–
Pending	3	–	4	–

TABLE 7

LABOUR RELATIONS BOARD AND CONSTRUCTION INDUSTRY PANEL ACTIVITIES
(CONTINUED)

	Board		Panel	
	1998–99	1997–98	1998–99	1997–98
Complaint, Failure to Negotiate, Section 35(a)				
Ordered to Bargain	–	–	–	–
Violation Found	–	–	–	–
Dismissed	1	1	–	–
Withdrawn	6	3	–	–
Lapsed	–	–	–	–
Pending	4	–	–	–
Complaint re Collective Bargaining, Section 35(b)				
Ordered to Bargain	–	–	–	–
Violation Found	–	–	–	–
Dismissed	1	1	–	–
Withdrawn	–	2	–	–
Lapsed	–	–	–	–
Pending	–	–	–	–
Application for Reconsideration				
Granted	1	–	–	–
Dismissed	–	–	1	–
Withdrawn	–	–	–	–
Revoked	–	–	–	–
Suspended	1	–	–	–
Pending	–	–	–	–
Application for Declaration of Successor Rights, Section 31				
Granted	–	14	3	3
Dismissed	1	2	1	4
Withdrawn	–	1	4	6
Lapsed	–	–	–	–
Pending	–	–	7	–

TABLE 7

LABOUR RELATIONS BOARD AND CONSTRUCTION INDUSTRY PANEL ACTIVITIES
(CONTINUED)

	Board		Panel	
	1998–99	1997–98	1998–99	1997–98
Application for Declaration of Successor Rights, Section 32				
Granted	—	2	—	—
Dismissed	—	—	—	—
Withdrawn	—	—	—	—
Pending	—	—	—	—
Complaint Alleging Illegal Work Stoppage				
Interim Order	4	—	1	—
Dismissed	—	—	—	—
Withdrawn	—	—	—	—
Settled at Officer level	—	—	—	—
Rescinded	—	—	—	—
Confirmed	—	—	—	—
Lapsed	—	—	—	—
Pending	—	—	—	—
Complaint Alleging Jurisdictional Disputes, Section 52				
Interim Order	—	—	2	1
Dismissed	—	—	1	—
Withdrawn	—	—	—	—
Confirming order	—	—	1	—
Varied	—	—	—	—
Pending	—	—	—	—
Section 54				
Withdrawn	1	—	—	1
Dismissed	—	—	1	—
Pending	—	—	—	—

TABLE 7

LABOUR RELATIONS BOARD AND CONSTRUCTION INDUSTRY PANEL ACTIVITIES
(CONTINUED)

	Board		Panel	
	1998–99	1997–98	1998–99	1997–98
Application for Request for a Hearing of Panel, Section 96				
Confirmed	–	–	–	2
Revoked	–	–	4	5
Withdrawn	–	–	1	2
Dismissed	–	–	5	7
Pending	–	–	4	–
Total of Applications/Complaints Filed with the Board and Panel				
	96	111	100	96

TABLE 8

STATIONARY ENGINEERS ACT
ACTIVITIES
YEAR ENDING MARCH 31, 1999

Applications Approved	462
Applications Not Approved	—
Certifications Issued:	
Standardized First Class	2
Standardized Second Class	28
Standardized Third Class	26
Standardized Fourth Class	19
Refrigeration First Class	1
Refrigeration Second Class	1
Compressor First Class	—
Compressor Second Class	2
Mobile Crane Operator	103
Overhead Travelling Crane Operator	122
Tower Crane Operator	14
Other	14
Total Certificates Issued	332
Total Certificates Revoked/Suspended	—
Total Number of Exams Written	885
Total Number of Exams Passed	693
Total Number of Exams Failed	192
New Plants Registered	—
Existing Plants Re-registered	—
Total Number of Inspections	30
Directives Issued	5

TABLE 9

BOARD OF EXAMINERS FOR BLASTERS
ACTIVITY FOR THE YEAR
1998–99

Activity	Number
Board Meetings Held	11
Applications Processed	43
Certificates Issued	
1st Class	3
2nd Class	2
3rd Class	1
Post Hole Class	—
Entry Level Class	7
Special Application Class	4
Total	**17**
Certificates Renewed	
1st Class	22
2nd Class	34
3rd Class	9
Post Hole Class	3
Entry Level Class	13
Special Application Class	6
Total	**87**

TABLE 10

BOARD OF EXAMINERS FOR COAL MINING
ACTIVITY FOR THE YEAR
1998–99

Activity	Number
Board Meetings Held	4
Applications Processed	64
Certificates Issued	
Mine Official, 1st Class	—
Mine Official, 2nd Class	6
Mine Official, 3rd Class	2
Mine Mechanic, 1st Class	—
Mine Mechanic, 2nd Class	1
Mine Examiner	1
Mine Rescue	—
Coal Miner	—
Mine Electrician, 1st Class	—
Mine Electrician, 2nd Class	3
Total	**13**